

<p>Attorney or Party Name, Address, Telephone & FAX Numbers, State Bar Number & Email Address</p> <p><u>COURT PREPARED ORDER</u></p> <p><input type="checkbox"/> <i>Individual appearing without attorney</i> <input type="checkbox"/> <i>Attorney for Movant</i></p>	<p>FOR COURT USE ONLY</p> <div style="text-align: right; border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>FILED & ENTERED</p> <p>NOV 28 2018</p> <p>CLERK U.S. BANKRUPTCY COURT Central District of California BY bakchell DEPUTY CLERK</p> </div>
<p><u>NOT FOR PUBLICATION</u></p> <p>UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA – <u>LOS ANGELES</u> DIVISION</p>	
<p>In re:</p> <p>JOSE ANTONIO SANTIAGO,</p> <p style="text-align: right;">Debtor(s).</p>	<p>CASE NUMBER 2:18-BK-22902 CHAPTER 7</p> <p>ORDER <input checked="" type="checkbox"/> GRANTING <input type="checkbox"/> DENYING MOTION FOR ORDER IMPOSING A STAY OR CONTINUING THE AUTOMATIC STAY</p> <p><input type="checkbox"/> No hearing held <input checked="" type="checkbox"/> Hearing held</p> <p>DATE: November 28, 2018 TIME: 1:30 p.m. COURTROOM: 1675 ADDRESS: 255 E. Temple Street Los Angeles, CA 90012</p>

1. The Motion was: Opposed Unopposed Settled by stipulation

2. The Motion affects the following property (Property):
 Vehicle (describe year, manufacturer, type and model):

"Bankruptcy Code" and "11 U.S.C." refer to the United States Bankruptcy Code, Title 11 of the United States Code. "FRBP" refers to the Federal Rules of Bankruptcy Procedure. "BR" and "BRs" refer to the Local Bankruptcy Rule(s) of this court.

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

Equipment (*describe manufacturer, type, and characteristics*):

Serial numbers(s):

Location (if known):

Other personal property (*describe type, identifying information, and location*):

Real property:

Street Address: 2739 Morningside St

Unit Number:

City, State, Zip Code: Pasadena, CA 91107

Legal description or document recording number (*including county of recording*):

(full legal description not provided in Motion)

Assessor ID number 5748-013-024, County of Los Angeles, State of California

See attached page.

3. The Motion is granted on the grounds that:

- a. This case was filed in good faith.
- b. The Property is of consequential value or benefit to the estate.
- c. The presumption of bad faith under 11 U.S.C. § 362(c)(3)(C)(i) or (c)(4)(D)(i) has been overcome as to all creditors.
- d. The presumption of bad faith as to the Secured Creditor/Lessor under 11 U.S.C. § 362(c)(3)(C)(ii) or (c)(4)(D)(ii) has been overcome.

4. The stay of 11 U.S.C. § 362(a) is

- a. Imposed as to all creditors until further order of the court.
- b. Imposed as to the Secured Creditor/Lessor with respect to actions to collect the debt owed to the Secured Creditor/Lessor until further order of the court.
- c. Imposed as to the Secured Creditor/Lessor with respect to the Property until further order of the court.
- d. Continued as to all creditors until further order of the court.
- e. Continued in effect as to the Secured Creditor/Lessor with respect to actions to collect the debt owed to the Secured Creditor/Lessor until further order of the court.
- f. Continued in effect as to the Secured Creditor/Lessor with respect to the Property until further order of the court.

5. The stay is imposed or continued in effect subject to the terms and conditions set forth in the Adequate Protection Attachment to this order.

6. See attached continuation page for additional provisions.

7. The Motion is denied: without prejudice with prejudice on the following grounds:

- a. Based upon the findings of fact and conclusions of law made on the record at the hearing
- b. Unexcused non-appearance by Movant
- c. Lack of proper service
- d. Lack of good cause shown for relief from stay
- e. Other (*specify*):

CONTINUATION PAGE TO ORDER

In granting the motion, the court finds that service of the motion was duly made on the secured creditors, Chase Bank/JP Morgan Chase Bank, BSI Financial and Jorge Tobias Real, but other creditors, including general unsecured creditors, were not served. The court did not order such service, given the exigent circumstances of the imminent expiration of the automatic stay under 11 U.S.C. 362(c)(3)(A), debtor is self-represented and debtor is acting through his wife, Isadora Rivera, under a power of attorney due to his being in temporary custody in Los Angeles County Jail pending trial in a criminal case scheduled for sometime in December 2018. As to the unserved creditors, they may file an objection to the application of the order continuing the stay as to them based on lack of service and request a hearing at which time debtor will have to demonstrate as to such objecting creditors that this case is filed in good faith.

IT IS SO ORDERED.

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Date: November 28, 2018



Robert Kwan
United States Bankruptcy Judge